

Environmental Protection Agency

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the Federal General Conformity Rule for fine particulate matter promulgated on July 17, 2006 (71 FR 40420–40427); specifically 40 CFR 51.852 Definitions and 40 CFR 51.853 Applicability.

(64) Revisions to the State Implementation Plan submitted by the Maine Department of Environmental Protection on October 3, 2007.

(i) Incorporation by reference.

(A) Maine Administrative Procedure Act (MAPA) 1 Form which provides certification that the Attorney General approved Chapter 139 “Transportation Conformity,” as to form and legality, dated September 10, 2007.

(B) Chapter 139 of the Maine Department of Environmental Protection Regulations, “Transportation Conformity,” effective in the State of Maine on September 19, 2007.

(ii) Additional materials.

(A) Nonregulatory portions of the submittal.

[37 FR 10870, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1020, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 52.1021 Classification of regions.

The Maine plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Metropolitan Portland Intrastate	I	II	III	III	III
Androscoggin Valley Interstate	IA	IA	III	III	III
Down East Intrastate	IA	IA	III	III	III
Aroostook Intrastate	III	III	III	III	III
Northwest Maine Intrastate	III	III	III	III	III

[37 FR 10870, May 31, 1972, as amended at 45 FR 10774, Feb. 19, 1980]

§ 52.1022 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Maine’s plan, as identified in § 52.1020, for the attainment and maintenance of the national standards under section 110 of the Clean Air Act.

[45 FR 10774, Feb. 19, 1980, as amended at 60 FR 33734, June 29, 1995]

§ 52.1023 Control strategy: Ozone.

(a) *Determination.* EPA is determining that, as of July 21, 1995, the Lewiston-Auburn ozone nonattainment area has attained the ozone standard and that the reasonable further progress and attainment demonstration requirements of section 182(b)(1) and related requirements of section 172(c)(9) of the Clean Air Act do not apply to the area for so long as the area does not monitor any violations of the ozone standard. If a violation of the ozone NAAQS is monitored in the Lewiston-Auburn ozone

nonattainment area, these determinations shall no longer apply.

(b) *Determination.* EPA is determining that, as of July 21, 1995, the Knox and Lincoln Counties ozone nonattainment area has attained the ozone standard and that the reasonable further progress and attainment demonstration requirements of section 182(b)(1) and related requirements of section 172(c)(9) of the Clean Air Act do not apply to the area for so long as the area does not monitor any violations of the ozone standard. If a violation of the ozone NAAQS is monitored in the Knox and Lincoln Counties ozone nonattainment area, these determinations shall no longer apply.

(c) *Approval.* EPA is approving an exemption request submitted by the Maine Department of Environmental Protection on September 7, 1995, for the Northern Maine area from the NO_x requirements contained in Section

182(f) of the Clean Air Act. This approval exempts Oxford, Franklin, Somerset, Piscataquis, Penobscot, Washington, Aroostook, Hancock and Waldo Counties from the requirements to implement controls beyond those approved in § 52.1020(c)(41) for major sources of nitrogen oxides (NO_x), nonattainment area new source review (NSR) for new sources and modifications that are major for NO_x, and the applicable NO_x-related requirements of the general and transportation conformity provisions.

(d) *Approval.* EPA is approving an exemption request from the NO_x requirements contained in Section 182(f) of the Clean Air Act for northern Maine. The exemption request was submitted by the Maine Department of Environmental Protection on March 24, 2005, and supplemented on April 19 and June 28, 2005. This approval exempts major sources of nitrogen oxides in Aroostook, Franklin, Oxford, Penobscot, Piscataquis, Somerset, Washington, and portions of Hancock and Waldo Counties from the requirements to implement controls meeting reasonably available control technology under the Clean Air Act, and nonattainment area new source review (NSR) for new sources and modifications. In Waldo County, this area includes only the following towns: Belfast, Belmont, Brooks, Burnham, Frankfort, Freedom, Jackson, Knox, Liberty, Lincolnville, Monroe, Montville, Morrill, Northport, Palermo, Prospect, Searsport, Searsport, Stockton Springs, Swanville, Thorndike, Troy, Unity, Waldo, and Winterport. In Hancock County, this area includes only the following towns and townships: Amherst, Aurora, Bucksport, Castine, Dedham, Eastbrook, Ellsworth, Franklin, Great Pond, Mariaville, Orland, Osborn, Otis, Penobscot, Verona, Waltham, Oqiton Township (T4 ND), T3 ND, T39 MD, T40 MD, T41 MD, T32 MD, T34 MD, T35 MD, T28 MD, T22 MD, T16 MD, T8 SD, T9 SD, T10 SD, and T7 SD.

(e) *Approval.* EPA is approving a revision to the State Implementation Plan submitted by the Maine Department of Environmental Protection on June 9 and 13, 2005. The revision is for purposes of satisfying the rate of progress requirements of section 182(b)(1) of the

Clean Air Act for the Portland Maine one-hour ozone nonattainment area.

(f) *Approval.* EPA is approving a revision to the State Implementation Plan submitted by the Maine Department of Environmental Protection on June 9, 13, and 14, 2005. The revision is for purposes of satisfying the 5 percent increment of progress requirement of 40 CFR 51.905(a)(1)(ii)(B) for the Portland Maine eight-hour ozone nonattainment area. The revision establishes motor vehicle emissions budgets for 2007 of 20.115 tons per summer day (tpsd) of volatile organic compound (VOC) and 39.893 tpsd of nitrogen oxide (NO_x) to be used in transportation conformity in the Portland Maine 8-hour ozone nonattainment area.

(g) *Approval.* EPA is approving a redesignation request for the Portland, Maine 8-hour ozone nonattainment area. Maine submitted this request on August 3, 2006. The request contains the required Clean Air Act Section 175A maintenance plan. The plan establishes motor vehicle emissions budgets for 2016 of 16.659 tons per summer day (tpsd) of volatile organic compound and 32.837 tpsd of nitrogen oxide (NO_x) to be used in transportation conformity determinations in the Portland area.

(h) *Approval.* EPA is approving a redesignation request for the Hancock, Knox, Lincoln and Waldo Counties, Maine 8-hour ozone nonattainment area. Maine submitted this request on August 3, 2006. The request contains the required Clean Air Act Section 175A maintenance plan. The plan establishes motor vehicle emissions budgets for 2016 of 3.763 tons per summer day (tpsd) of volatile organic compound and 6.245 tpsd of nitrogen oxide (NO_x) to be used in transportation conformity determinations in the Hancock, Knox, Lincoln and Waldo Counties area.

(i) *Approval.* EPA is approving the 110(a)(1) 8-hour ozone maintenance plans in the four areas of the state required to have a 110(a)(1) maintenance plan for the 8-hour ozone National Ambient Air Quality Standard. These areas are as follows: portions of York and Cumberland Counties; portions of Androscoggin County and all of Kennebec County; portions of Knox and

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Lincoln Counties; and portions of Hancock and Waldo Counties. These maintenance plans were submitted to EPA on August 3, 2006.

[60 FR 29766, June 6, 1995, as amended at 60 FR 66755, Dec. 26, 1995; 71 FR 5794, Feb. 3, 2006; 71 FR 14816, Mar. 24, 2006; 71 FR 71490, Dec. 11, 2006; 73 FR 5101, Jan. 29, 2008]

§ 52.1024 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained.

ATTAINMENT DATES ESTABLISHED BY CLEAN AIR ACT OF 1990

Air quality control region and nonattainment area	Pollutant					
	SO ₂		PM-10	NO ₂	CO	O ₃
	Pri- mary	Sec- ondary				
AQCR 107:						
Androscoggin County	(a)	(b)	(a)	(a)	(a)	(g)
Kennebec County	(a)	(b)	(a)	(a)	(a)	(g)
Knox County	(a)	(b)	(a)	(a)	(a)	(g)
Lincoln County	(a)	(b)	(a)	(a)	(a)	(g)
Waldo County	(a)	(b)	(a)	(a)	(a)	(d)
Oxford Cnty. (Part) See 40 CFR 81.320	(a)	(b)	(a)	(a)	(a)	(e)
Franklin Cnty. (Part) See 40 CFR 81.320	(a)	(b)	(a)	(a)	(a)	(e)
Somerset Cnty. (Part) See 40 CFR 81.320	(a)	(b)	(a)	(a)	(a)	(e)
AQCR 108:						
Aroostook Cnty. (Part) See 40 CFR 81.320	(a)	(b)	(c)	(a)	(a)	(a)
Remainder of AQCR	(a)	(b)	(a)	(a)	(a)	(a)
AQCR 109:						
Hancock County	(a)	(b)	(a)	(a)	(a)	(d)
Millinocket	(a)	(e)	(a)	(a)	(a)	(a)
Remainder of AQCR	(a)	(b)	(a)	(a)	(a)	(a)
AQCR 110:						
York County	(a)	(b)	(a)	(a)	(a)	(g)
Cumberland County	(a)	(b)	(a)	(a)	(a)	(g)
Sagadahoc County	(a)	(b)	(a)	(a)	(a)	(g)
Oxford Cnty. (Part) See 40 CFR 81.320	(a)	(b)	(a)	(a)	(a)	(e)
AQCR 111	(a)	(b)	(a)	(a)	(a)	(a)

^a Air quality levels presently below primary standards or area is unclassifiable.

^b Air quality levels presently below secondary standards or area is unclassifiable.

^c 12/31/94.

^d 11/15/94 (one-year extension granted).

^e 11/15/95.

^g 11/15/96.

[60 FR 33352, June 28, 1995]

§ 52.1025 Control strategy: Particulate matter.

(a) The revisions to the control strategy resulting from the modification to the emission limitations applicable to the sources listed below or resulting from the change in the compliance date for such sources with the applicable emission limitation is hereby approved. All regulations cited are air pollution control regulations of the State unless otherwise noted. (See § 52.1023 for compliance schedule approvals and disapprovals pertaining to one or more of the sources below.)

Source	Location	Regulation involved	Date of adoption
All sources subject to Regulation 100.3.1(b) with a maximum heat input from three million up to but not including ten million Btu per hour.	Maine	100.3.1(b)	3/29/73

(b) The revision to the incinerator particulate emission standard submitted on August 26, 1976 is disapproved because of provisions therein which would interfere with the attainment and maintenance of national ambient air quality standards.